

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST LITIGATION

This Document Relates To:

ALL ACTIONS BROUGHT BY DIRECT
ACTION DAPS

Civil No. 18-cv-1776-JRT-JFD

The Honorable Judge John R. Tunheim

**DECLARATION OF BRIAN E. ROBISON IN SUPPORT OF DEFENDANTS’
JOINT MOTION TO DISMISS THE DIRECT ACTION PLAINTIFFS’ CLAIMS**

I, Brian E. Robison, declare as follows:

1. I am over the age of 18, and my place of business is Brown Fox PLLC, 6303 Cowboys Way, Suite 450, Frisco, Texas 75034.
2. I am an attorney admitted *pro hac vice* to practice before this Court.
3. I am a partner in the law firm of Brown Fox PLLC, counsel to Defendant Smithfield Foods, Inc (“Smithfield”). I make this declaration in support of Defendants’ Joint Motion to Dismiss the Direct Action Plaintiffs’ Claims. I have personal knowledge of the facts stated herein, and, if called to testify, I could and would competently testify to these facts.
4. Attached as Exhibit A is a true and correct copy of the brochure from the 2015 Annual Meat Conference, available at http://www.meatconference.com/sites/default/files/books/2015_AMC_Brochure.pdf, cited in the Direct Action Plaintiffs’ Consolidated Complaint at ¶ 212, and last accessed on January 19, 2023.

5. Attached as Exhibit B is a true and correct copy of the brochure from the 2016 Annual Meat Conference, available at http://meatconference.com/sites/default/files/books/2016_AMC_Brochure.pdf, cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶ 212, and last accessed on January 19, 2023.

6. Attached as Exhibit C is a true and correct copy of the brochure from the 2017 Annual Meat Conference, available at http://www.meatconference.com/sites/default/files/books/2017_MeatBrochure.pdf, cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶ 212, and last accessed on January 19, 2023.

7. Attached as Exhibit D is a true and correct copy of a printout of the web page for the National Pork Industry Conference, available at <https://porkconference.com>, cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶ 197, and last accessed on January 19, 2023.

8. Attached as Exhibit E is a true and correct copy of an article by Greg Bilbrey titled *Benchmarking and Cost – Production Relationships*, 19 Advances in Pork Production Journal 41 (2008), cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶¶ 110 and 120.

9. Attached as Exhibit F is a true and correct copy of an article by Greg Bilbrey titled *Benchmarking and Tools to Maximize Profit*, Proceedings of the 9th London Swine Conference – Tools of the Trade (April 1-2, 2009), cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶¶ 112, 113, and 130.

10. Attached as Exhibit G is a true and correct copy of a transcript of the Q2 2011 Smithfield Foods Earnings Conference Call (Dec. 9, 2010), cited in the Direct Action Plaintiffs' Consolidated Complaint at ¶ 313.

11. Attached as Exhibit H is a true and correct copy of H. Rep. No. 94-1043 (1976), which traces the history of the Packers and Stockyards Act of 1921, as amended.

I declare, under penalty of perjury under the laws of the United State of America, that the foregoing statements are within my personal knowledge and are true and correct.

Executed in Denton County, State of Texas, on this 20th day of January, 2023.



Brian E. Robison